

**POINTS OF AGREEMENT
ON
COORDINATING CVP/SWP OPERATIONS WITH
ENDANGERED SPECIES, WATER QUALITY, AND CVPIA REQUIREMENTS**

1. Listing of the winter-run Chinook salmon and delta smelt under the State and Federal Endangered Species Acts has resulted in biological opinions by NMFS, USFWS and the California Department of Fish and Game (DFG) containing constraints on CVP and SWP operations. Additional listing of other species, such as the Sacramento splittail, could require additional constraints on project operations.

2. The 1993 winter-run Chinook salmon biological opinion issued by NMFS and adopted by DFG includes a reasonable and prudent alternative (RPA) and incidental take statement that set requirements for Sacramento River flows and temperature, Delta Cross-Channel gate operation, Delta channel flows, SWP-CVP coordination and cooperation, take limits, carry-over storage requirements at Shasta Reservoir, operation restrictions at Red Bluff Diversion Dam, monitoring and studies, and creation of a monitoring work group and an operations and management work group to coordinate implementation of the RPA.

3. The 1994 delta smelt biological opinion issued by USFWS and under consideration for adoption by DFG includes an RPA and incidental take statement that set requirements for transport and habitat flows, San Joaquin River transport flows, late spawning protection, Suisun Marsh salinity control structure operation, SWP-CVP coordination and cooperation, take limits, monitoring and studies, and provide for creation of a working group and a management group to coordinate implementation of the RPA.

4. A high level of coordination by resource managers, water operators, and biologists is needed to provide comprehensive and effective implementation of the complex requirements for resource protection affecting Bay-Delta resources and the CVP and SWP operations.

5. A CVP/SWP Operations-Endangered Species Coordination Group ("Coordination Group") shall be established consisting of representatives of USFWS, USBR, NMFS, EPA, DFG, DWR, and staff of the SWRCB. The Coordination Group will exchange information and facilitate the coordination of water project operations with requirements of the RPAs under the winter-run salmon and the delta smelt biological opinions, the State and Federal water quality standards, and the CVPIA.

6. Issues that may be presented within the Coordination Group include:

- Review of project operations;
- Review of operating parameters in biological opinions;

- Review of fish distribution and fish population levels;
- Review of status of endangered species take;
- Review of fish identification procedures;
- Discussion of strategies for implementation of fishery protections to resolve conflicts between operations, water quality requirements, and fishery needs in the Bay-Delta Estuary and its watershed;
- Coordination of the winter-run salmon monitoring and operations and management work groups with the delta smelt management and work groups and with the Interagency Ecological Program;
- Discussion of strategies for implementation of Bay-Delta Estuary standards;
- Review of and comment on the annual CVPIA water allocation and on other CVPIA activities related to the Bay-Delta Estuary such as the Anadromous Fish Restoration Program; and
- Cooperation with the Interagency Ecological Program as well as others to determine factors affecting Delta habitat and health of fisheries, and to identify appropriate corrective measures for the CVP and SWP.

7. The Coordination Group shall meet as necessary to accomplish the purposes of this Agreement.

8. The Coordination Group shall periodically provide briefings on its reviews, recommendations, and activities to the Governor's Water Policy Council and the FED. The Coordination Group shall also provide periodic briefings to other interested parties.